



**TOWN OF CHELMSFORD  
WARRANT FOR  
ANNUAL TOWN ELECTION  
April 4, 2023**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precincts 1 and 2.	Senior Center, 75 Groton Road
Precincts 3, 4, 5, 6, 7, and 8.	McCarthy Middle School, 250 North Road
Precincts 9, 10, and 11.	Town Offices, 50 Billerica Road

On Tuesday, the **4th day of April, 2023** being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To cast their votes for the following officers:

***One*** Select Board Member for three years;

***Two*** School Committee Members for three years;

***One*** Town Moderator for three years;

***Two*** Planning Board Members for three years;

***One*** Planning Board Associate Member for two years

***One*** Board of Health Member for three years;

***Three*** Trustees of Public Library Members for three years;

***One*** Cemetery Commission Member for three years;

## QUESTION 1:

Shall this Town approve the charter amendment proposed by the Town Meeting as summarized below?

Amend the Town Charter, Section 6-7 to provide that a certified public accountant, or firm of accounts, that conducts an annual audit of the books and accounts of the town shall change the audit team that performs the audit at least every five years.

**YES**

**NO**

and to cast their votes for the following:

***Fifty-five*** Representative Town Meeting Members for three years in Precincts 1 through 11;

And various additional Representative Town Meeting Members:

***One*** Representative Town Meeting Member for an unexpired one-year term in Precinct 1;

***One*** Representative Town Meeting Member for an unexpired two-year term in Precinct 4;

***Two*** Representative Town Meeting Members for an unexpired one-year term in Precinct 4;

***One*** Representative Town Meeting Member for an unexpired one-year term in Precinct 5;

***One*** Representative Town Meeting Member for an unexpired two-year term in Precinct 6;

***One*** Representative Town Meeting Member for an unexpired two-year term in Precinct 11;

and to meet in the Senior Center, 75 Groton Road, North Chelmsford, on Monday, the twenty-fourth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

**ARTICLE 1.** To see if the Town will vote to hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: **Select Board**

**ARTICLE 2.** To see if the Town will vote to amend the Fiscal Year 2023 operating budget adopted under Articles 4, 5, and 6 of the Warrant for the Spring Annual Town Meeting held on April 25, 2022; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 3.** To see if the Town will vote to raise and appropriate, and/or transfer from available funds a certain sum of money to be used to fund employee contract agreements between the Town and its collective bargaining units; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 4.** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to fund the Town's Fiscal Year 2024 assessment to the Nashoba Valley Technical School District; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 5.** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money as may be required to defray charges for the operations of the Chelmsford Public Schools for the fiscal period July 1, 2023 through June 30, 2024; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 6.** To see if the Town will vote to raise and appropriate, or transfer from available funds such sums of money as may be required to defray charges of the Town's General Government operations for the fiscal period July 1, 2023 through June 30, 2024; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 7.** To see if the Town will vote to raise and appropriate, or transfer from available funds such sums of money to be used as a Reserve Fund at the discretion of the Finance Committee for Fiscal Year 2024, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 8.** To see if the Town will vote to: a.) appropriate a certain sum of money for the following capital projects:

FY2024 PROPOSED CAPITAL BUDGET			
Function	Department /Location	Project	Expenditure
Administration/ Community Services	<u>Information Technology</u>	Security Camera Upgrade	\$118,000
		Door Security System	\$75,000
	<i>Information Technology Subtotal</i>		\$193,000
	<u>Administration/Library</u> <u>Town Clerk</u> <u>Adams Library</u>	Fire Suppression - Public Records	\$160,000
		Retaining Wall	\$100,000
		<i>Administration/ Library Subtotal</i>	
Public Safety	<u>Fire</u>	Investigation Vehicle Replacement	\$68,352
		Service/ Rescue Truck Replacement	\$111,750
	<i>Public Safety Subtotal</i>		\$180,102
Public Works	<u>Highway</u>	Sidewalk Construction	\$350,000
		Roadway Improvements	\$400,000
	<u>Engineering</u>	Sander Truck Body & Brining System	\$215,000
		School St /Stony Brook Bridge Design	\$150,000
	<i>Public Works Subtotal</i>		\$1,115,000
Public Facilities	<u>Municipal Facilities</u>	Town Offices Elevator Replacement	\$480,000
	<i>Municipal Facilities Subtotal</i>		\$480,000
	<u>Harrington School</u>	Boiler Replacement	\$316,000
	<u>Westlands Comm. Ed. Center</u>	Elevator Replacement	\$325,000
	<u>Parker Middle School</u>	Floor Tile Replacement	\$100,000
	<u>McCarthy Middle School</u>	Floor Tile Replacement	\$89,750
	<u>High School</u>	Boiler Repl. - Suppl. Funding	\$207,000
		Elevator Replacement	\$480,000
		Kitchen Renovation	\$641,355
	<i>School Facilities Subtotal</i>		\$2,159,105
CAPITAL PROJECTS TOTAL			\$4,387,207

; and b.) raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the General Stabilization Fund, and/or borrow a certain sum of money (or any combination thereof) to fund said projects, and to further authorize the Town Manager to enter into lease and/or purchase agreements, on such terms and conditions as the Town Manager deems appropriate in the best interests of the Town, in excess of three years; or act in relation thereto.

SUBMITTED BY: **Town Manager**  
**Capital Planning Committee**  
*Two-Thirds Vote*

**ARTICLE 9.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2024 budget to operate the Sewer Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 10.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to upgrade the Miland Avenue sewer pump station; or act in relation thereto.

SUBMITTED BY: **Town Manager**  
*Two-Thirds Vote*

**ARTICLE 11.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2024 budget to operate the Stormwater Management Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 12.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2024 budget to operate the Forum Ice Rink Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 13.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2024 budget to operate the Cable Television Public, Educational, and Governmental (PEG) Access Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 14.** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2024 budget to operate the Golf Course Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 15.** To see if the Town will vote to authorize the following total amount of expenditures for Departmental Revolving Funds for the Fiscal Year 2024 which have been established under the provisions of Chapter 35, Section 6 of the Code of the Town of Chelmsford:

- |   |           |
|---|-----------|
| • Dog Pound & Licensing:                    | \$10,000; |
| • Senior Citizen Trip Program:              | \$75,000; |
| • Senior Citizen Respite Care Program:      | \$75,000; |
| • Police Cruiser Communications Equipment:  | \$20,000; |
| • Fire Life Safety Equipment:               | \$20,000; |
| • Sealer of Weights & Measures Inspections: | \$40,000; |
| • Cemetery Wreath/Floral Decorations:       | \$10,000; |
| • Onsite Sewage Facility                    | \$75,000; |

or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 16.** To see if the Town will vote to transfer a certain sum of money from the Sale of Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

SUBMITTED BY: **Cemetery Commission**

**ARTICLE 17.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Community Action program established under Article 12 of the Warrant for the April 29, 1996 Spring Annual Town Meeting to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 18.** To see if the Town will vote to amend the Code of the Town of Chelmsford by adding a new Chapter, Chapter 131 SEALER OF WEIGHTS AND MEASURES, that would provide as follows, and further to amend the Table of Contents to add Chapter 131, "Sealer of Weights and Measures":

Section 131.1 Sealer of Weights and Measures Fees:

Device/Inspection Type	Fee Per Device
Over 10,000 lbs.	\$225.00
5,000 to 10,000 lbs.	\$125.00
1,000 to 5,000 lbs.	\$100.00
100 to 1,000 lbs.	\$75.00
10 to 100 lbs.	\$50.00
10 lbs. or less	\$35.00
Avoirdupois	\$10.00
Gas Pumps	\$40.00
Oil Trucks/per truck	\$50.00
Device/Inspection Type	Fee Per Inspection
Price Verification - 1 - 3 electronic checkouts	\$100.00
Price Verification - 4 - 11 electronic checkouts	\$200.00
Price Verification - 12 or more electronic checkouts	\$300.00

; or act in relation thereto.

SUBMITTED BY: **Town Manager**

**ARTICLE 19.** To see if the Town will vote to amend the Town Code, Chapter 195: "Zoning Bylaw" Article III, "Use Regulations" by amending section 195-8 "Nonconforming uses and structures" by adding the following subsection 2 under paragraph E:

(2) Special permit for nonconforming single- and two-family residential structures. In the event that the Building Commissioner determines that a by-right building permit can NOT be issued per section E, as the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration or change or a new nonconformity created, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

; or act in relation thereto.

SUBMITTED BY: **Planning Board**  
***Two-Thirds Vote***

**ARTICLE 20.** To see if the Town will vote to amend the Town Code, Chapter 195: "Zoning Bylaw" Article IV, "Dimensional Regulations" by amending section 195-9 Conformity required; reduction of dimensional requirements." by deleting the existing paragraph B in its entirety and replacing it with the following paragraph B:

B. Reductions to dimensional requirements. For purposes of single- and two-family dwellings, the Zoning Board of Appeals may issue a special permit for

- 1) the reduction, of not more than 20% from front, side and rear yard dimensional requirements, within the Table of Dimensional Requirements (195 Attachment 2) for conforming lots and structures.
- 2) the reduction of not more than 20% per the table per 195-8.E (1) (a) for pre-existing nonconforming lots/ structures.
- 3) the increase to the required Maximum building coverage up to a maximum of 40% for single-family dwellings and up to a maximum of 30% for two-family dwellings per the Table of Dimensional Requirements (195 Attachment 2) for pre-existing nonconforming lots/structures. This provision shall not apply to lots containing more than two single-family structures or more than one two-family structure.
- 4) the increase to the Floor Area Ratio (FAR) per the Table of Dimensional Regulations (195 Attachment 2) for pre-existing nonconforming lots/structures. This provision shall not apply to lots containing more than two single-family structures or more than one two-family structure.

The above special permits may be granted if the Zoning Board of Appeals finds that the reduction meets the following criteria:

- (1) The lot or structure may not be developed without a reduction in the dimensional requirements or a site design is proposed which is more suitable for the lot than one which would be allowed under the permitted dimensional requirements.

- (2) Adjacent properties would not be adversely impacted.
- (3) The reduced dimensions would not be detrimental to the public good and would not substantially deviate from the intent or purpose of this Zoning Bylaw.
- (4) Any lot reduced under this section may not be further reduced or subdivided.

; or act in relation thereto.

SUBMITTED BY: **Planning Board**  
*Two-Thirds Vote*

**ARTICLE 21.** To see if the Town will vote to enact Chapter 25, of the Town of Chelmsford Massachusetts General Bylaws, a “Specialized Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments or modifications thereto, with an effective date of Jan 1, 2024, a copy of which is on file with the Town Clerk; or act in relation thereto.

SUBMITTED BY: **Clean Energy and Sustainability Committee**

**ARTICLE 22.** To see if the Town will vote to:

- A. hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation budget;
- B. appropriate a certain sum of money from Fiscal Year 2024 Community Preservation Fund revenues and/or from Community Preservation Fund reserves for the payment of Fiscal Year 2024 debt service;
- C. appropriate from Fiscal Year 2024 Community Preservation Fund revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2024; and
- D. reserve for future appropriation amounts from Fiscal Year 2024 Community Preservation Fund revenues as recommended by the Community Preservation Committee:
  - (1) a sum of money for the acquisition, creation and preservation of open space,
  - (2) a sum of money for the acquisition and preservation of historic resources,
  - (3) a sum of money for the creation, preservation and support of community housing; and
  - (4) a sum of money for the Community Preservation Fund Fiscal Year 2024 Budgeted Reserve

; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**



**ARTICLE 23.** To see if the Town will vote to authorize the Select Board to acquire by purchase, gift, eminent domain, or otherwise, a parcel of land located off of Wilson Lane containing 1.34 acres, more or less, bordered by Town-owned conservation land adjacent to Stony Brook, shown as Lot 18 on Assessors Map 29, Block 104, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 11363, Page 316, said parcel to be under the care, custody, and control of the Conservation Commission and held for open space purposes; to authorize the Select Board to convey a perpetual restriction in said parcel that meets the requirements of Massachusetts General Laws Chapter 184, Section 31, as required by Massachusetts General Laws Chapter 44B, Section 12 (a) as amended, and that said restriction may be granted to any organization qualified and willing to hold such a restriction in accordance with Massachusetts General Laws Chapter 44B; and further to raise and appropriate, transfer from available funds, and/or transfer from the Community Preservation Fund a certain sum of money to fund said acquisition, including related appraisal, survey, and legal costs, and other costs incidental and related thereto; and further to authorize the Select Board to take all actions necessary to acquire said parcel; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**  
**Conservation Commission**  
*Two-Thirds Vote*

**ARTICLE 24.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for rehabilitation, restoration, and improvement of capital conservation lands which make the lands more functional for their intended conservational use; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**  
**Conservation Commission**

**ARTICLE 25.** To see if the Town will vote to grant an exclusive easement located on a parcel of Town-owned land identified by the Board of Assessors as Map 19, Block 48, Lot 30 to the owner of 2 Shore Drive for the purpose of passing and repassing over the driveway as depicted on a plan of land entitled "Mortgage Inspection Plan, Name Donald Spencer, Location: 2 Shore Drive, North Chelmsford, MA" dated June 21, 2022 attached hereto as Exhibit A (the "Plan"); or act in relation thereto.

SUBMITTED BY: **Conservation Commission**  
*Two-Thirds Vote*

**ARTICLE 26.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve to be expended by the Town Clerk for the preservation of the Town's vital historic records; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**  
**Town Clerk**

**ARTICLE 27.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for the purchase and installation of new playground equipment at the Highland Playground which is located off of John Street; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**  
**Department of Public Works**

**ARTICLE 28.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for preservation of headstones at Forefathers Cemetery; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee  
Cemetery Commission**

**ARTICLE 29.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for creation of a walkway along Beaver Brook at 1 Billerica Road/44 Central Square; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee  
Town Manager**

**ARTICLE 30.** To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for the dismantling, transporting, and preservation of the School Street Freight House to the Garrison House property located at 105 Garrison Road; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**


Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

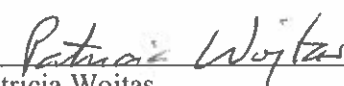
Given under our hands this 27th day of February, 2023

**SELECT BOARD OF THE TOWN OF CHELMSFORD:**

  
\_\_\_\_\_  
Virginia E. Crocker Timmins, Chair

  
\_\_\_\_\_  
Kenneth M. Lefebvre, Vice Chair

  
\_\_\_\_\_  
George R. Dixon, Jr., Clerk

  
\_\_\_\_\_  
Patricia Wojtas

\_\_\_\_\_  
Mark C. Carota

**NOTICE OF PROPOSED DATES**  
**AND TIMES FOR CONTINUED SESSIONS OF THE**  
**SPRING ANNUAL TOWN MEETING**

The Select Board shall propose the following dates and times for continued sessions of the Town Meeting of April 24, 2023:

**Thursday, April 27, 2023 at 7:30 p.m.**

**Monday, May 1, 2023 at 7:30 p.m.**

**Thursday, May 4, 2023 at 7:30 p.m.**

If additional continued sessions are necessary, they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

March 1, 2023

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Senior Center, 75 Groton Road; North Chelmsford Fire Station, 35 Princeton Street; McCarthy Middle School, 250 North Road; Parker Middle School, 75 Graniteville Road; West Chelmsford Fire Station, 260 Old Westford Road; Westlands School, 171 Dalton Road; Byam Elementary School, 25 Maple Road; Town Offices Building, 50 Billerica Road; South Row Elementary School, 250 Boston Road; East Chelmsford Fire Station, 115 Riverneck Road; and South Chelmsford Fire Station, 295 Acton Road.

Signed:

  
Edwin Paul Eriksen, Constable

A True Copy Attest:

  
Edwin Paul Eriksen, Constable

# Exhibit A PLAN

**NEW ENGLAND LAND SURVEY  
PROFESSIONAL LAND SURVEYORS**



**710 MAIN STREET  
NORTH OXFORD, MA 01537**

**PHONE: (508) 987-0025**

**FAX: (508) 438-6604**

## MORTGAGE INSPECTION PLAN

**NAME** DONALD SPENCER

**LOCATION** 2 SHORE DRIVE

NORTH CHELMSFORD, MA

**SCALE** 1"= 40'

**DATE** 06/21/22

**CERTIFY TO:** FAIRWAY INDEPENDENT  
MORTGAGE CORPORATION

**REGISTRY:** NORTH MIDDLESEX

**DEED REFERENCE:** 36646/4

**PLAN REFERENCE:** 62/58

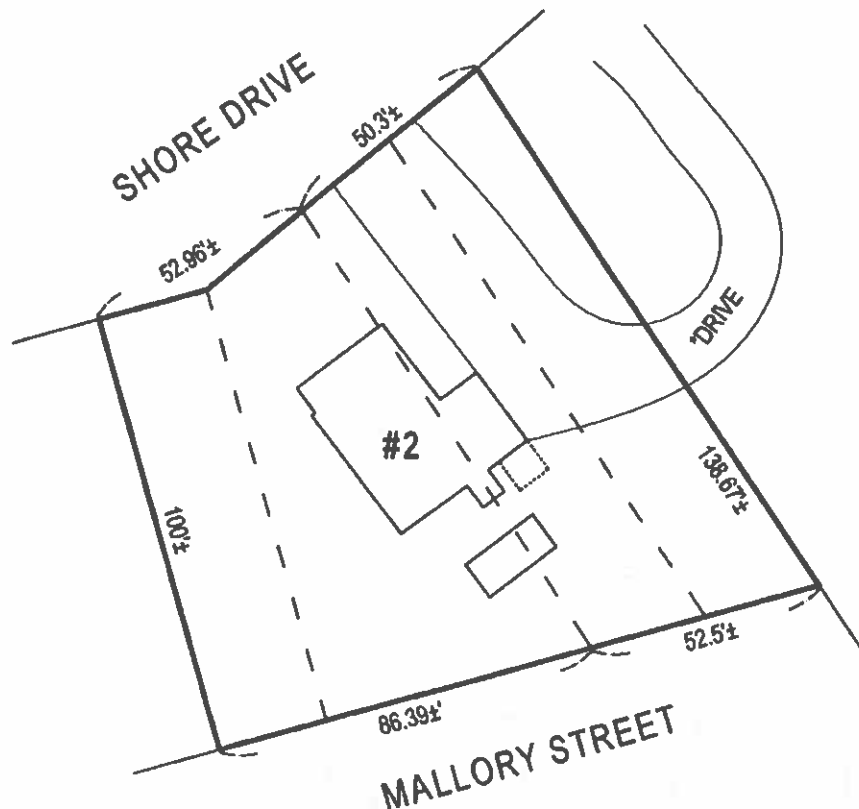
**WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL  
FLOOD HAZARD AREA. SEE FIRM:**

25017C0119E

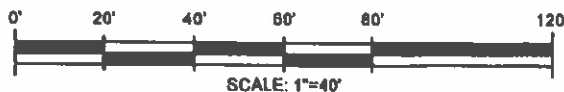
**DTD:** 06/04/2010

**FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT  
NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY  
HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE  
ELEVATIONS CANNOT BE DETERMINED.**

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS  
WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS  
MORTGAGE INSPECTION PLAN. IN OUR JUDGMENT ALL VISIBLE  
EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING  
REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY  
LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW).  
NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR  
SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION  
PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES,  
OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF  
THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH  
LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS  
EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L.  
TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS  
CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS  
ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS  
ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY  
LOCATED IN RELATION TO THE PROPERTY LINES.



REQUESTED BY: SHERIDAN REAL ESTATE LAW,  
PLLC  
DRAWN BY: DJB  
FIELD BY: JS  
CHECKED BY: GES  
FILE: 22MIP09223



22MIP09223

